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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Zhong *et al.*
SERIAL NUMBER : 10/659,004 EXAMINER : Mondesi, Robert B.
FILING DATE : September 9, 2003 ART UNIT : 1653
FOR : Therapeutic Polypeptides, Nucleic Acids Encoding Same, and Methods of Use

Commissioner for Patents
P.O. Box 1450
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RESPONSE AND PRELIMINARY AMENDMENT

In response to the Office Action mailed November 26, 2004, in which the Examiner imposed a restriction requirement, and in accordance with the Rules of Practice, please enter the following amendments prior to examination of the above-identified patent application and consider the following remarks. Attached hereto are Appendix A and B, which are ClustalW alignment of NOV9 variants and fragments. Applicants also submit herein a Petition of Time with required fees.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.